

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	CASE NO. 04-12587
)	
vs.)	
)	TRACT NO. A-189-E
16.086 ACRES OF LAND, MORE OR)	
LESS, SITUATE IN BARNSTABLE)	
COUNTY, COMMONWEALTH OF)	
MASSACHUSETTS, AND EDWIN)	
ALFRED THOMPSON, MIGNON F.)	
THOMPSON, AND TONII C.T. DEAN,)	
)	
Defendants.)	
_____)	

AMENDED COMPLAINT IN CONDEMNATION

1. The plaintiff, the United States of America, by and through undersigned counsel, hereby brings this action to take property at the request of Fred W. Kuhn, Deputy Assistant Secretary, of the Air Force (Installations), for the taking of 16.086 Acres of Land, More or Less, situated in Barnstable County, Commonwealth of Massachusetts, under the power of eminent domain, by and through the Declaration of Taking executed by Fred W. Kuhn, and for the ascertainment and award of just compensation to the owners and parties in interest.

2. The authority for the taking of the land is in accordance with the Act of Congress approved February 26, 1931 (46 Stat. 1421, 40 U.S.C. § 3114), acts supplementary thereto and amendatory thereof; and under the further authority of the Act of Congress approved August 1, 1888 (25 Stat. 357, 40 U.S.C. 257) ; and the Act of

Congress dated August 20, 1958 (72 Stat. 772, 10 U.S.C. 2672), as amended, which act authorizes the acquisition of land in the interest of national defense, and the Act of Congress Approved September 20, 2003 (Public Law 108-87), which act appropriated funds for such purposes.

3. The public uses for which said land is taken are as follows: the said land is necessary to support military aircraft operations and for other uses incident thereto at Otis Air National Guard Base, Mashpee, Massachusetts and for such other uses as may be authorized by Congress or by Executive Order.

4. A description of the property taken, the estate to be taken, the statement of estimated just compensation and the names and addresses of persons having or claiming an interest in the property are contained in Schedule "B" attached to the Declaration of Taking.

5. A plot showing the land taken is attached to the Declaration of Taking.

6. Local and State taxing authorities may have, or claim, an interest in the property by reason of taxes and assessments.

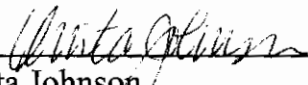
7. In addition to the persons named, there are, or may be, others who have or may claim some interest in the property taken, whose names are unknown to the plaintiff; such persons are, hereby, made parties to the action under the designation, "Unknown Owners."

WHEREFORE, the plaintiff prays that this Court order that the property be condemned, pursuant to both the Declaration of Taking filed with this Complaint, and the Declaration of Taking Act, 40 U.S.C. § 258a; that just compensation for the taking be ascertained and awarded; and that this Court order such other relief as may be lawful.

Respectfully submitted,

MICHAEL J. SULLIVAN
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